

6am 1652
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

LISA ANNE LAFFEND, ET AL.

CASE NO.: CR-9715-B

APPLICATION NO.: 08/849,404

GROUP ART UNIT: 1652

FILED: 22 MAY 1997

EXAMINER: BUGAISKY, G.

FOR: BIOCONVERSION OF A FERMENTABLE CARBON SOURCE TO 1,3-PROPANEDIOL BY A SINGLE MICROORGANISM

#8
D.Q.1
4/9/98DECLARATION OF BIOLOGICAL CULTURE DEPOSITAsst. Commissioner of Patents
Washington, DC 20231

Sir:

I, Linda Axamethy Floyd, declare that:

I am an attorney of record for the owner of the above-identified application.

Cultures of the following biological materials have been deposited with the following international depository(s):

American Type Culture Collection (ATCC)
12301 Parklawn Drive, Rockville, MD 20852, U.S.A.

under conditions that satisfy the requirements of the Budapest Treaty. A copy of acknowledgment letter stating the terms of the deposits is attached.

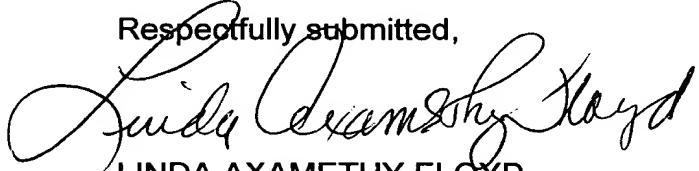
Depositor's Identification of Organism	International Depository Accession Number	Date of Deposit
<i>Bacillus subtilis</i> , BG2864/pM27#1	98050	May 9, 1996
<i>Streptomyces lividans</i> , SL14.2	98052	May 9, 1996
<i>Lactobacillus reuteri</i> , 23272	55767	May 9, 1996
<i>Aspergillus niger</i> , TGR40-13	74369	May 9, 1996
<i>Saccharomyces cerevisiae</i> , pMCK1/10/17(HM)#A	74370	May 9, 1996
<i>Bacillus licheniformis</i> , BH188/pM26#8	98051	May 9, 1996

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASST. COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THIS DATE.

3/26/98
DateTammy Lane
Tammy Lane

I further aver that all restrictions on the availability to the public of the culture will be irrevocably removed upon the granting of a U.S. patent on the above-identified application.

Respectfully submitted,



LINDA AXAMETHY FLOYD
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 33,692
TELEPHONE: 302-892-8112

Dated: 25 March 1998
Enclosure: ATCC Deposit Receipts



American Type Culture Collection

9715

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2



To: (Name and Address of Depositor or Attorney)

Genencor International, Inc.
Attn: Cynthia Wang
180 Kimball Way
South San Francisco, CA 94080

Deposited on Behalf of: Genencor International, Inc./E.I. DuPont de Nemours & Co.

Identification Reference by Depositor:

ATCC Designation

<i>Bacillus subtilis</i> , BG2864/pM27#1	98050
<i>Bacillus licheniformis</i> , BH188/pM26#8	98051
<i>Streptomyces lividans</i> , SL14.2	98052

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received May 9, 1996 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 14, 1996. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 16, 1996

cc: Lin Axamethy Floyd
Maria Diaz-Torres
Peg Horn



American Type Culture Collection

9715B

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Genencor International Inc.
Attn: Cynthia Wang
180 Kimball Way
South San Francisco, CA 94080

Deposited on Behalf of: Genencor International, Inc./E.I. DuPont de Nemours & Co.

Identification Reference by Depositor: ATCC Designation

Aspergillus niger, TGR40-13	74369
Saccharomyces cerevisiae, pMCK1/10/17(HM)#A	74370

The deposits were accompanied by: a scientific description a proposed taxonomic description indicated above.

The deposits were received May 9, 1996 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 15, 1996. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 16, 1996

cc: Jay Phillips
Lin Axamethy Floyd
Hua Ming Wang
Peg Horn



American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

2715B

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2



To: (Name and Address of Depositor or Attorney)

Genencor International, Inc.
Attn: Cynthia Z. Wang
180 Kimball Way
South San Francisco, CA 94080

Deposited on Behalf of: Genencor International, Inc./E.I. DuPont de Nemours & Co.

Identification Reference by Depositor: ATCC Designation

Lactobacillus reuteri, 23272 55767

The deposit was accompanied by: a scientific description X a proposed taxonomic description indicated above.

The deposit was received May 9, 1996 by this International Depository Authority and has been accepted.

AT YOUR REQUEST:

X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested May 14, 1996. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey

Barbara M. Hailey, Administrator, Patent Depository

Date: May 16, 1996

cc: Lin Axamethy Floyd
Bev Bulthnis
Peg Horn